

RELOCATING THE NATIONAL TRAINING SCHOOL FOR BOYS

JULY 13, 1959.—Ordered to be printed

Mr. EASTLAND, from the Committee on the Judiciary, submitted the following

R E P O R T

[To accompany S. 1648]

The Committee on the Judiciary, to which was referred the bill (S. 1648) to provide for the relocation of the National Training School for Boys, and for other purposes, having considered the same, reports favorably thereon, with an amendment, and recommends that the bill, as amended, do pass.

AMENDMENT

On page 2, in line 3, following the words "National Capital Planning Commission", insert the words "and approved by the President".

PURPOSE OF AMENDMENT

The purpose of the amendment is to provide that the determination, by the National Capital Planning Commission, of the amount of the property to be excluded from the sale, be approved by the President.

PURPOSE

The purpose of the proposed legislation, as amended, is to authorize the sale of the real estate now owned by the Government in the District of Columbia and occupied and used by the National Training School for Boys, exclusive of the portion of the real estate which the National Capital Planning Commission shall determine, and the President shall approve, as necessary and desirable for the proposed extension of Fort Drive as a part of the National Capital park system; and further to authorize and direct the Attorney General to select a new site and construct proper buildings for the National Training School for Boys, and to authorize the Administration of General Services to

cause the plans for the construction of such buildings to be prepared by the Public Buildings Service and the work of constructing the buildings to be supervised by the field force of the Public Buildings Service, provided that the proper appropriations for the Public Buildings Service be reimbursed for the cost of the preparation of plans and the supervision of construction; and further to appropriate the proceeds of the sale of the real estate toward the acquisition of the new site and the construction of the new buildings, and to authorize the appropriation of such additional sums as may be necessary; and further to provide that the sale of the real estate may be upon terms providing that the possession shall not be surrendered by the United States until the actual or expected date of occupancy of the new institution.

STATEMENT

A similar bill in the 85th Congress was reported by the committee on July 23, 1958, and passed the Senate as reported on July 28, 1958. No action was taken by the House of Representatives in the 85th Congress.

The proposed legislation has been requested by the Department of Justice.

In its request, printed in full below, the Department of Justice points out that the National Training School for Boys, located on its present site in the District of Columbia since 1872 and operated as a Federal institution since 1876, needs to be replaced by a more modern institution in a more suitable location. The Department reports that none of the buildings housing the boys are fireproof, although some are designated as fire resistant, and that the utilities have reached the age where they are very expensive to keep in operation and must be completely replaced within a few years. The Department points out further that the property on which the school is located, originally rural in character, is in what is now a congested area entirely unsuitable for such an institution, but that it is exceedingly valuable and its sale could be expected to help materially the financing of a modern institution in a more suitable location.

The Department of the Interior, in a letter dated May 14, 1959, printed in full below, has advised the committee that the Department has no direct interest in the relocation of the school, which is of primary concern to the Attorney General, but that the Department of the Interior, as well as the National Capital Planning Commission, has considerable interest in a portion of the land which would be relinquished under the terms of the proposed legislation. The Department of the Interior notes that it concurs in the desirability of the provision in the proposed legislation which—

would exclude from the sale a portion of the property determined by the National Capital Planning Commission as necessary and desirable for the proposed extension of the Fort Drive for the suitable development of the National Capital park, parkway, and playground system.

The Department of the Interior comments further that:

For the purposes of clarification, we suggest a minor amendment as follows:

(1) On page 2, line 5, following the words "Fort Drive," insert the word "and."

It is the view of the committee that the amendment proposed by the Department of the Interior might well have the effect of substantially changing the amount of land which is provided to be excluded from the sale. As the proposed legislation was recommended to the Congress by the Department of Justice, and as the proposed legislation was approved by the committee in the 85th Congress and passed by the Senate, the description of the land to be excluded is as follows:

there shall be excluded from such sale that portion of the property which, pursuant to the provisions of section 2 of the Act of June 6, 1924 (renumbered as sec. 11 by the Act of July 19, 1952), shall have been determined by the National Capital Planning Commission as necessary and desirable for the proposed extension of the Fort Drive for the suitable development of the National Capital park, parkway, and playground system, which excluded portion shall be transferred to the Department of the Interior and become a part of the National Capital Park system, without exchange of funds, at the earliest practicable date.

The proposed amendment would make this language read:

there shall be excluded from such sale that portion of the property which, pursuant to the provisions of section 2 of the Act of June 6, 1924 (renumbered as sec. 11 by the Act of July 19, 1952), shall have been determined by the National Capital Planning Commission as necessary and desirable for the proposed extension of the Fort Drive and for the suitable development of the National Capital park, parkway, and playground system, which excluded portion shall be transferred to the Department of the Interior and become a part of the National Capital park system, without exchange of funds, at the earliest practicable date.

This amendment might be interpreted as having the effect of excluding from the sale not only that land which is—

desirable for the proposed extension of the Fort Drive for the suitable development of the National Capital park, parkway, and playground system—

but also to exclude from the sale any land in addition to the proposed extension of the Fort Drive which might be used for—

the suitable development of the National Capital park, parkway, and playground system.

It is not the understanding of the committee that such a broad exclusion has been contemplated by the Department of Justice.

If such a broad exclusion is in fact contemplated by the Department of the Interior, it is the opinion of the Committee that the matter should be presented by the Department of the Interior to the Congress on its merits.

Accordingly, the committee has not adopted the proposed "minor amendment" recommended by the Department of the Interior.

In order that any possible conflict as to the amount of the property to be excluded from the sale may be resolved, the committee has amended the proposed legislation, as recommended by the Director of the Bureau of Prisons, so that the determination of the amount of

land to be excluded from the sale shall be approved by the President.

The committee believes that the proposed legislation, as amended, is meritorious and recommends it favorably.

Attached and made a part of this report are (1) a letter dated February 27, 1959, from the Department of Justice; (2) a letter dated May 14, 1959, from the Department of the Interior; and (3) a letter dated June 12, 1959, from the U.S. Department of Justice, Bureau of Prisons.

OFFICE OF THE ATTORNEY GENERAL,
Washington, D.C., February 27, 1959.

The VICE PRESIDENT,
U.S. Senate,
Washington, D.C.

DEAR MR. VICE PRESIDENT: I am attaching for your consideration and appropriate action proposed legislation authorizing the sale of the real estate now owned by the Government in the District of Columbia and occupied and used by the National Training School for Boys. The bill is in the exact form in which it passed the Senate on July 28, 1958, as S. 3876, 85th Congress. It is proposed to use the proceeds of the sale for the acquisition of a new site and the construction of an institution to replace the present one. Excepted from the sale would be that portion of the property necessary to the proposed extension of Fort Drive as a part of the National Capital park system. Possession would not be surrendered until the new institution would be available for occupancy.

The National Training School for Boys is located in the extreme eastern part of the District of Columbia. Boys under the age of 17 years are committed by the district courts of the United States and the juvenile court of the District of Columbia for custody and training. Since 1876 it has been operated as a Federal institution. Until Reorganization Plan No. II of 1939, it was under a board of trustees with corporate powers, the members of which were appointed by the President. In 1939 it was transferred to the Department of Justice to be administered by the Director of the Bureau of Prisons under the direct supervision of the Attorney General and the board of trustees was abolished.

The need for a more modern institution in a more suitable location has been under consideration for some time. The passage of the Juvenile Delinquency Act and later of the Youth Corrections Act has placed additional responsibilities upon the Federal prison system in connection with the custody and training of these youthful offenders. The property on which the National Training School for Boys is located was originally rural in character but has become the center of a very congested residential and industrial area, an environment entirely unsuitable for an institution of this type. Furthermore, the property has become exceedingly valuable and if disposed of may be expected to help materially to finance construction of a modern institution at some more central location. Also, restoration of this property to the tax rolls should add appreciably to the revenues of the District of Columbia.

The school has been located on its present site since 1872. None of the buildings housing the boys are fireproof although some of the ones constructed later are designated as fire resistant. The utilities

have reached the age where they must be completely replaced within a few years and in the meantime are very expensive to keep in operation. As at least 3 years are required to plan, build, and equip a new institution, it is thought that appropriate steps to provide for a new National Training School should not be delayed.

With the increasing emphasis upon the training and rehabilitation of youthful offenders, the necessity for a more centralized location for a school of this type becomes more and more imperative as transportation costs to and from the school from distant judicial districts impose an increasing financial burden upon operation.

Your assistance in securing the introduction and early enactment of the proposed legislation will be appreciated.

The Bureau of the Budget has advised that there is no objection to the submission of this recommendation.

Sincerely,

WILLIAM P. ROGERS,
Attorney General.

DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., May 14, 1959.

Hon. JAMES O. EASTLAND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR SENATOR EASTLAND: There is pending before your committee S. 1648, a bill to provide for the relocation of the National Training School for Boys, and for other purposes.

We recommend the enactment of this bill.

S. 1648 would authorize the sale of the National Training School for Boys and its relocation on a new site. The land occupied by the school, which is situated strategically in the District of Columbia, bounded on the east by Anacostia Park and on the north by the State of Maryland, comprises about 320 acres. We have no direct interest in the relocation of the school, which is of primary concern to the Attorney General; however, this Department, as well as the National Capital Planning Commission, has considerable interest in a portion of the land that would be relinquished under the terms of this bill.

We concur in the desirability of the provision in section 1 of the bill that would exclude from the sale a portion of the property determined by the National Capital Planning Commission as necessary and desirable for the proposed extension of the Fort Drive for the suitable development of the National Capital park, parkway, and playground system. Approximately one-third of the area should be transferred for these purposes, consistently with the recommendations and long-standing plan of the National Capital Planning Commission.

For the purposes of clarification, we suggest a minor amendment as follows:

(1) On page 2, line 5, following the words "Fort Drive," insert the word "and."

We have been advised by the Bureau of the Budget that there would be no objection of the submission of this report to your committee.

Sincerely yours,

ROGER ERNST,
Assistant Secretary of the Interior.

U.S. DEPARTMENT OF JUSTICE,
BUREAU OF PRISONS,
Washington, June 12, 1959.

Mr. FRANCIS C. ROSENBERGER,
Member of the Staff, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR MR. ROSENBERGER: When the bill (S. 1648) to provide for the relocation of the National Training School, was drafted, we inadvertently omitted the usual clause (see 40 U.S.C. 72) which would require that the President approve the terms of the transfer of the property referred to in the bill.

Accordingly, I would like to suggest that the bill be amended as follows:

(1) One page 2, line 3, following the words "National Capital Planning Commission," insert the words "and approved by the President".

The Attorney General has informed me that he has no objection to this amendment.

Sincerely yours,

JAMES V. BENNETT, *Director.*

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